



Iowa General Assembly
Daily Bills, Amendments and Study Bills
March 31, 2014

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House File 2458

H-8176

1 Amend House File 2458 as follows:
2 1. Page 7, by striking lines 32 through 34
3 and inserting <efforts provided in this section.
4 ~~Not more than \$150,000 shall be used to support~~
5 ~~the administration of this section by a full-time~~
6 ~~equivalent position.~~>

DRAKE of Cass



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House File 2458

H-8177

1 Amend House File 2458 as follows:

2 1. Page 9, after line 15 by inserting:

3 <1A. a. Of the amount appropriated in subsection
4 1, not more than \$5,000 is allocated to the department
5 to conduct a food waste study. The department shall
6 study excess food items including uneaten food or
7 food scraps together with ingredients, oils, fats, or
8 other food preparation products that may be wasted by
9 disposal in a sanitary landfill or by incineration.
10 The department shall study methods for reducing and
11 recovering excess food items generated on a large scale
12 by businesses formed on a profit or nonprofit basis,
13 state agencies, and local governments.

14 b. In conducting the study the department shall do
15 all of the following:

16 (1) Consider the food recovery hierarchy adopted
17 by the United States environmental protection agency
18 and develop resources and strategies for practical
19 voluntary use by businesses, state agencies, and local
20 governments.

21 (2) Cooperate with the Iowa waste reduction center
22 for the safe and economic management of solid waste and
23 hazardous substances established pursuant to section
24 268.4.

25 (3) Consult with interested persons who generate
26 a large volume of excess food items, or associations
27 representing such persons, including profit or
28 nonprofit businesses; state agencies, including the
29 department of corrections, regents institutions,
30 community colleges, and hospitals; and local
31 governments.

32 c. The department shall prepare a report that
33 identifies barriers that prevent businesses, state
34 agencies, and local governments from reducing and
35 recovering excess food items, and makes recommendations
36 regarding how state government may better provide
37 resources and strategies to accomplish those
38 reductions. The department shall submit the report to
39 the governor and general assembly by January 1, 2015.

40 d. This subsection is repealed on January 2, 2015.>

41 2. By renumbering as necessary.

ISENHART of Dubuque

LENSING of Johnson

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JACOBY of Johnson



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House File 2458

H-8178

- 1 Amend House File 2458 as follows:
2 1. Page 20, line 11, by striking <For> and
3 inserting <a. For>
4 2. Page 20, after line 16 by inserting:
5 <b. Of the amount appropriated in paragraph "a",
6 not more than \$5,000 shall be used by the department
7 to conduct a study relating to silica sand. The study
8 shall include the environmental and other impacts
9 of silica sand mining, processing, storage, and
10 transportation in this state and the environmental and
11 other impacts on this state of silica sand mining,
12 processing, storage, and transportation occurring in
13 adjacent states. By December 1, 2014, the department
14 shall submit a report on the study, including findings
15 and recommendations, to the general assembly and the
16 governor.>
17 3. By renumbering as necessary.

ISENHART of Dubuque

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House File 2450

H-8179

- 1 Amend House File 2450 as follows:
2 1. Page 21, after line 16 by inserting:
3 <Sec. _____. STATEWIDE SOBRIETY AND DRUG MONITORING
4 PILOT PROGRAM.
5 1. The department of public health in collaboration
6 with the department of corrections may approve an
7 application from a county for a countywide sobriety
8 and drug monitoring pilot program that is available 24
9 hours a day, seven days a week, in an effort to reduce
10 the number of crimes that have a nexus with alcohol or
11 drug abuse.
12 2. The sobriety and drug monitoring pilot program
13 shall do all of the following:
14 a. Require a person who has been charged with, pled
15 guilty to, or convicted of a crime that has an nexus
16 with alcohol or drug abuse to abstain from alcohol or
17 drugs for a period of time.
18 b. Require the person to be subject to testing to
19 determine the presence of alcohol or drugs under any of
20 the following circumstances:
21 (1) At least twice a day at a central location
22 where an immediate sanction can be applied.
23 (2) Where twice-a-day testing is impractical, by
24 continuous or transdermal alcohol monitoring by means
25 of an electronic monitoring device to ensure timely
26 sanctions can be applied.
27 3. A court in a county that has established a pilot
28 program pursuant to this section may order a defendant,
29 as a condition of pretrial release, probation, or
30 parole, to participate in the program.
31 4. An approved pilot program shall begin on January
32 15, 2015, or upon the effective date of department
33 rules, whichever is earlier, and shall be conducted for
34 a minimum of one year.
35 5. The department of public health shall adopt
36 rules pursuant to chapter 17A to implement this section
37 which shall include but not be limited to provisions
38 relating to applications for and approval of such pilot
39 programs and reporting requirements for participating
40 counties.
41 6. The department of public health shall submit a
42 report on the results of the pilot projects and make
43 recommendations to the general assembly by December 15,
44 2016.>
45 2. By renumbering as necessary.

DAWSON of Woodbury

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HANSON of Jefferson

HALL of Woodbury

BERRY of Black Hawk



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Senate File 2196

H-8180

- 1 Amend Senate File 2196, as passed by the Senate, as
2 follows:
3 1. By striking page 1, line 26, through page 4,
4 line 18.
5 2. Page 4, line 20, by striking <— FUTURE>
6 3. Page 4, by striking line 21.
7 4. Page 4, line 28, by striking <135.176~~r~~> and
8 inserting <135.176,>
9 5. Page 4, line 33, before <and> by inserting <the
10 fulfilling Iowa's need for dentists matching grant
11 program created in section 135.179,>
12 6. Page 5, after line 2 by inserting:
13 <Sec. _____. Section 135.175, subsection 5, Code
14 2014, is amended by adding the following new paragraph:
15 NEW PARAGRAPH. h. The fulfilling Iowa's need
16 for dentists matching grant program account. The
17 fulfilling Iowa's need for dentists matching grant
18 program account shall be under the control of the
19 department and the moneys in the account shall be used
20 for the purposes of the fulfilling Iowa's need for
21 dentists matching grant program as specified in section
22 135.179. Moneys in the account shall consist of moneys
23 appropriated or allocated for deposit in the account or
24 received by the fund or the account and specifically
25 dedicated to the fulfilling Iowa's need for dentists
26 matching grant program account for the purposes of such
27 account.>
28 7. Page 5, line 12, before <for> by inserting <the
29 fulfilling Iowa's need for dentists matching grant
30 program,>
31 8. Page 6, by striking lines 1 and 2 and inserting:
32 <Sec. _____. Section 135.175, subsection 9, Code
33 2014, is amended by striking the subsection.
34 Sec. _____. Section 135.176, subsection 3, Code 2014,
35 is amended by striking the subsection.
36 Sec. _____. NEW SECTION. 135.179 Fulfilling Iowa's
37 need for dentists.
38 1. The department, in cooperation with a dental
39 nonprofit health service corporation, shall create the
40 fulfilling Iowa's need for dentists matching grant
41 program.
42 2. Funding for the program may be provided through
43 the health care workforce shortage fund or the
44 fulfilling Iowa's need for dentists matching grant
45 program account created in section 135.175. The
46 purpose of the program is to establish, expand, or
47 support the placement of dentists in dental or rural
48 shortage areas across the state by providing education
49 loan repayments.
50 3. The department shall contract with a dental

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1 nonprofit health service corporation to implement and
2 administer the program. The dental nonprofit health
3 service corporation shall provide loan repayments to
4 dentists who practice in a dental or rural shortage
5 area as defined by the department.>
6 9. Title page, lines 2 and 3, by striking <health,
7 and including effective date provisions.> and inserting
8 <health.>
9 10. By renumbering, redesignating, and correcting
10 internal references as necessary.

L. MILLER of Scott



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Senate File 2196

H-8181

1 Amend Senate File 2196, as passed by the Senate, as
2 follows:
3 1. Page 8, after line 3 by inserting:
4 <DIVISION ____
5 BOARD OF MEDICINE MEMBERSHIP
6 Sec. ____ Section 148.2A, subsection 2, paragraph
7 e, subparagraphs (3) and (4), Code 2014, are amended
8 to read as follows:
9 (3) ~~The majority of a~~ At least half of the members
10 of a hearing panel containing alternate members shall
11 be current members of the board.
12 (4) ~~The majority of a~~ At least half of the members
13 of a hearing panel containing alternate members shall
14 be licensed to practice under this chapter.>
15 2. By renumbering, redesignating, and correcting
16 internal references as necessary.

L. MILLER of Scott

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House File 2458

H-8182

- 1 Amend House File 2458 as follows:
- 2 1. Page 28, by striking lines 17 through 26.
- 3 2. Page 33, after line 22 by inserting:
- 4 <Sec. ____ LIMITATION. The provisions of
- 5 this division of this Act shall not be construed
- 6 or interpreted to limit or otherwise affect the
- 7 application of chapters 6A, 478, or 479 as they relate
- 8 to the eminent domain authority of the utilities
- 9 division of the department of commerce.>

WATTS of Dallas

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House File 2460

H-8183

- 1 Amend House File 2460 as follows:
2 1. Page 8, before line 21 by inserting:
3 <d. Of the moneys appropriated pursuant to this
4 subsection, the division shall allocate \$1,000
5 for a wage payment study. The labor commissioner,
6 in collaboration with the attorney general, shall
7 investigate the use of noncash or noncheck methods
8 of wage payment by businesses employing workers in
9 Iowa. The commissioner shall review current state
10 law and administrative rules as well as federal
11 law and regulations to determine if legislative or
12 administrative action is needed or would assist the
13 purpose of ensuring that Iowa employees receive timely
14 and efficient payment of all wages owed. The labor
15 commissioner shall submit a report of the findings
16 from the study and recommendations for statutory or
17 administrative changes to the governor and the general
18 assembly by December 1, 2015.>
19 2. By renumbering as necessary.

ISENHART of Dubuque

KEARNS of Lee

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House File 2458

H-8184

- 1 Amend House File 2458 as follows:
2 1. By striking page 26, line 30, through page 27,
3 line 28, and inserting:
4 <Sec. _____. NEW SECTION. 161D.9 Restriction.
5 The loess hills development and conservation
6 authority or the board of directors of the loess hills
7 alliance shall not enter into any agreement with a
8 local government or the state or federal government if
9 the agreement regulates, on an involuntary basis, the
10 action of a private landowner or the use of a private
11 landowner's land.>
12 2. By renumbering as necessary.

DRAKE of Cass

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House File 2455

H-8185

- 1 Amend House File 2455 as follows:
2 1. Page 3, lines 8 and 9, by striking <12, and 13,>
3 and inserting <and 12,>
4 2. Page 6, after line 21 by inserting:
5 <7. This section is repealed on June 30, 2021.
6 Sec. _____. Section 15.294, subsection 1, paragraph
7 c, Code 2014, is amended by striking the paragraph and
8 inserting in lieu thereof the following:
9 c. One person selected by the board of directors of
10 the professional developers of Iowa.>
11 3. By renumbering as necessary.

UPMEYER of Cerro Gordo

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(amending this HF 2455
to CONFORM to SF 2339)

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Senate File 2196

H-8186

1 Amend Senate File 2196, as passed by the Senate, as
2 follows:
3 1. By striking page 1, line 26, through page 4,
4 line 18.
5 2. Page 4, line 20, by striking <— FUTURE>
6 3. Page 4, by striking line 21.
7 4. Page 4, line 28, by striking <135.176> and
8 inserting <135.176,>
9 5. Page 4, by striking lines 30 and 31 and
10 inserting <section 135.178, the health care
11 professional and Iowa needs nurses now initiative
12 created in sections 261.128 and section 261.129,>
13 6. Page 4, line 33, before <and> by inserting <the
14 fulfilling Iowa's need for dentists matching grant
15 program created in section 135.179,>
16 7. Page 5, before line 1 by inserting:
17 <Sec. _____. Section 135.175, subsection 5, paragraph
18 b, Code 2014, is amended to read as follows:
19 b. The health care professional and Iowa needs
20 nurses now initiative account. The health care
21 professional and Iowa needs nurses now initiative
22 account shall be under the control of the college
23 student aid commission created in section 261.1 and the
24 moneys in the account shall be used for the purposes of
25 the health care professional incentive payment program
26 and the Iowa needs nurses now initiative as specified
27 in sections 261.128 and section 261.129. Moneys in
28 the account shall consist of moneys appropriated or
29 allocated for deposit in or received by the fund or the
30 account and specifically dedicated to the health care
31 professional and Iowa needs nurses now initiative or
32 the account for the purposes of the account.>
33 8. Page 5, line 1, by striking <b,>
34 9. Page 5, line 2, by striking <f,>
35 10. Page 5, after line 2 by inserting:
36 <Sec. _____. Section 135.175, subsection 5, Code
37 2014, is amended by adding the following new paragraph:
38 NEW PARAGRAPH. h. The fulfilling Iowa's need
39 for dentists matching grant program account. The
40 fulfilling Iowa's need for dentists matching grant
41 program account shall be under the control of the
42 department and the moneys in the account shall be used
43 for the purposes of the fulfilling Iowa's need for
44 dentists matching grant program as specified in section
45 135.179. Moneys in the account shall consist of moneys
46 appropriated or allocated for deposit in the account or
47 received by the fund or the account and specifically
48 dedicated to the fulfilling Iowa's need for dentists
49 matching grant program account for the purposes of such
50 account.>

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1 11. Page 5, line 11, by striking ~~<the Iowa needs~~
2 ~~nurses now initiative,>~~ and inserting ~~<the Iowa needs~~
3 ~~nurses now initiative,>~~
4 12. Page 5, line 12, before ~~<for>~~ by inserting ~~<the~~
5 ~~fulfilling Iowa's need for dentists matching grant~~
6 ~~program,>~~
7 13. Page 5, lines 14 and 15, by striking ~~<for the~~
8 ~~purposes of the Iowa needs nurses now infrastructure~~
9 ~~account,>~~ and inserting ~~<for the purposes of the Iowa~~
10 ~~needs nurses now infrastructure account,>~~
11 14. Page 6, by striking lines 1 and 2 and
12 inserting:
13 ~~<Sec. ____.~~ Section 135.175, subsection 9, Code
14 2014, is amended by striking the subsection.
15 ~~Sec. ____.~~ Section 135.176, subsection 3, Code 2014,
16 is amended by striking the subsection.
17 ~~Sec. ____.~~ NEW SECTION. 135.179 Fulfilling Iowa's
18 need for dentists.
19 1. The department, in cooperation with a dental
20 nonprofit health service corporation, shall create the
21 fulfilling Iowa's need for dentists matching grant
22 program.
23 2. Funding for the program may be provided through
24 the health care workforce shortage fund or the
25 fulfilling Iowa's need for dentists matching grant
26 program account created in section 135.175. The
27 purpose of the program is to establish, expand, or
28 support the placement of dentists in dental or rural
29 shortage areas across the state by providing education
30 loan repayments.
31 3. The department shall contract with a dental
32 nonprofit health service corporation to implement and
33 administer the program. The dental nonprofit health
34 service corporation shall provide loan repayments to
35 dentists who practice in a dental or rural shortage
36 area as defined by the department.
37 ~~Sec. ____.~~ Section 261.2, subsection 10, Code 2014,
38 is amended to read as follows:
39 10. ~~Administer the health care professional~~
40 ~~incentive payment program established in section~~
41 ~~261.128 and the Iowa needs nurses now initiative~~
42 ~~created in section 261.129.~~ This subsection is
43 ~~repealed June 30, 2014~~ 2016.
44 ~~Sec. ____.~~ Section 261.129, subsection 1, paragraph
45 a, Code 2014, is amended to read as follows:
46 a. The commission shall establish a nurse educator
47 incentive payment program. Funding for the program
48 may be provided through the health care workforce
49 shortage fund or the ~~health care professional and~~
50 Iowa needs nurses now initiative account created in

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1 section 135.175. For the purposes of this subsection,
2 "nurse educator" means a registered nurse who holds a
3 master's degree or doctorate degree and is employed
4 as a faculty member who teaches nursing in a nursing
5 education program as provided in 655 IAC 2.6 at a
6 community college, an accredited private institution,
7 or an institution of higher education governed by the
8 state board of regents.

9 Sec. _____. Section 261.129, subsection 2, paragraph
10 a, Code 2014, is amended to read as follows:

11 a. The commission shall establish a nursing faculty
12 fellowship program to provide funds to nursing schools
13 in the state, including but not limited to nursing
14 schools located at community colleges, for fellowships
15 for individuals employed in qualifying positions on
16 the nursing faculty. Funding for the program may be
17 provided through the health care workforce shortage
18 fund or the health care professional and the Iowa
19 needs nurses now initiative account created in section
20 135.175. The program shall be designed to assist
21 nursing schools in filling vacancies in qualifying
22 positions throughout the state.

23 Sec. _____. Section 261.129, subsection 3, paragraph
24 a, Code 2014, is amended to read as follows:

25 a. The commission shall establish a nurse educator
26 scholarship program. Funding for the program may be
27 provided through the health care workforce shortage
28 fund or the health care professional and the Iowa
29 needs nurses now initiative account created in section
30 135.175. The goal of the nurse educator scholarship
31 program is to address the waiting list of qualified
32 applicants to Iowa's nursing schools by providing
33 incentives for the training of additional nursing
34 educators. For the purposes of this subsection, "nurse
35 educator" means a registered nurse who holds a master's
36 degree or doctorate degree and is employed as a faculty
37 member who teaches nursing in a nursing education
38 program as provided in 655 IAC 2.6 at a community
39 college, an accredited private institution, or an
40 institution of higher education governed by the state
41 board of regents.

42 Sec. _____. Section 261.129, subsection 4, paragraph
43 a, Code 2014, is amended to read as follows:

44 a. The commission shall establish a nurse educator
45 scholarship-in-exchange-for-service program. Funding
46 for the program may be provided through the health care
47 workforce shortage fund or the health care professional
48 and Iowa needs nurses now initiative account created
49 in section 135.175. The goal of the nurse educator
50 scholarship-in-exchange-for-service program is to

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1 address the waiting list of qualified applicants to
2 Iowa's nursing schools by providing incentives for the
3 education of additional nursing educators. For the
4 purposes of this subsection, "nurse educator" means
5 a registered nurse who holds a master's degree or
6 doctorate degree and is employed as a faculty member
7 who teaches nursing in a nursing education program
8 as provided in 655 IAC 2.6 at a community college,
9 an accredited private institution, or an institution
10 of higher education governed by the state board of
11 regents.

12 Sec. _____. Section 261.129, subsection 5, Code 2014,
13 is amended to read as follows:

14 5. *Repeal.* This section is repealed June 30, 2014
15 2016.>

16 15. Page 6, before line 3 by inserting:

17 <DIVISION _____

18 HEALTH CARE WORKFORCE SUPPORT INITIATIVE ACCOUNTS —
19 FUTURE PROVISIONS

20 Sec. _____. Section 135.175, subsection 1, paragraph
21 a, Code 2014, as amended by this Act, is amended to
22 read as follows:

23 a. A health care workforce support initiative is
24 established to provide for the coordination and support
25 of various efforts to address the health care workforce
26 shortage in this state. This initiative shall include
27 the medical residency training state matching grants
28 program created in section 135.176, ~~the Iowa needs~~
29 ~~nurses now initiative created in section 261.129, the~~
30 fulfilling Iowa's need for dentists matching grant
31 program created in section 135.179, and health care
32 workforce shortage national initiatives.

33 Sec. _____. Section 135.175, subsection 5, paragraphs
34 b and f, Code 2014, as amended by this Act, are amended
35 by striking the paragraphs.

36 Sec. _____. Section 135.175, subsection 6, paragraph
37 a, Code 2014, as amended by this Act, is amended to
38 read as follows:

39 a. Moneys in the fund and the accounts in the fund
40 shall only be appropriated in a manner consistent
41 with the principles specified and the strategic plan
42 developed pursuant to sections 135.163 and 135.164 to
43 support the medical residency training state matching
44 grants program, ~~the Iowa needs nurses now initiative,~~
45 the fulfilling Iowa's need for dentists matching grant
46 program, for national health care workforce shortage
47 initiatives, ~~for the purposes of the Iowa needs nurses~~
48 ~~now infrastructure account,~~ and to provide funding
49 for state health care workforce shortage programs as
50 provided in this section.

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1 Sec. ____ . EFFECTIVE DATE. This division of this
2 Act takes effect July 1, 2016.>
3 16. By renumbering, redesignating, and correcting
4 internal references as necessary.

L. MILLER of Scott



Iowa General Assembly
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House File 2460

H-8187

- 1 Amend House File 2460 as follows:
2 1. Page 6, by striking lines 19 through 31 and
3 inserting:
4 <Notwithstanding section 15.343, subsection 3, Code
5 2014, and 2014 Iowa Acts, House File 2407, 2014 Iowa
6 Acts, Senate File 2317, or 2014 successor legislation,
7 if enacted, \$3,000,000 of the moneys appropriated
8 pursuant to this section shall be allocated for
9 purposes of the job training program and \$2,750,000
10 of the moneys appropriated pursuant to this section
11 shall be allocated for purposes of the apprenticeship
12 training program. Notwithstanding 2014 Iowa Acts,
13 House File 2407, 2014 Iowa Acts, Senate File 2317,
14 or 2014 successor legislation, if enacted, the first
15 \$250,000 of any unexpended or unobligated moneys
16 accruing to the workforce development fund as a result
17 of section 260F.6A, Code 2014, shall be allocated
18 for purposes of the apprenticeship training program.
19 Notwithstanding 2014 Iowa Acts, House File 2407,
20 2014 Iowa Acts, Senate File 2317, or 2014 successor
21 legislation, if enacted, any unexpended or unobligated
22 moneys accruing to the workforce development fund as a
23 result of section 260F.6A, after the first \$250,000,
24 shall be allocated equally between the job training
25 program and the apprenticeship training program.>
26 2. Page 16, lines 17 and 18, by striking ~~<four five~~
27 ~~million seven hundred fifty thousand>~~ and inserting
28 ~~<four~~ six million>
29 3. Page 17, line 6, by striking ~~<four five million~~
30 ~~seven hundred fifty thousand>~~ and inserting ~~<four~~ six
31 million>
32 4. Page 17, after line 6 by inserting:
33 <100. FY 2014-2015 WORKFORCE DEVELOPMENT FUND
34 TRANSFER. Notwithstanding sections 15.342A and
35 422.16A, as amended in this Act, the maximum amount
36 from all employers which shall be transferred pursuant
37 to section 422.16A to the workforce development fund
38 account for the fiscal year beginning July 1, 2014, and
39 ending June 30, 2015, is \$5,750,000.>
40 5. By renumbering, redesignating, and correcting
41 internal references as necessary.

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Senate File 2196

H-8188

1 Amend Senate File 2196, as passed by the Senate, as
2 follows:
3 1. Page 8, after line 3 by inserting:
4 <DIVISION _____
5 IOWA HEALTH INFORMATION NETWORK
6 Sec. _____. Section 135.154, Code 2014, is amended by
7 adding the following new subsections:
8 NEW SUBSECTION. 3A. "*Care coordination*" means
9 the management of all aspects of a patient's care to
10 improve health care quality, patient outcomes, and
11 patient safety.
12 NEW SUBSECTION. 19A. "*Public health activities*"
13 means actions taken by a participant in its capacity as
14 a public health authority under the Health Insurance
15 Portability and Accountability Act or as required or
16 permitted by other federal or state law.
17 NEW SUBSECTION. 23. "*Record locator service*"
18 means the functionality of the Iowa health information
19 network that queries data sources to locate and
20 identify potential patient records.
21 Sec. _____. Section 135.156D, subsection 2, Code
22 2014, is amended to read as follows:
23 2. The Iowa health information network shall
24 not function as a central repository of all health
25 information including but not limited to an all-payer
26 claims database or data warehouse.
27 Sec. _____. Section 135.156E, subsection 13, Code
28 2014, is amended to read as follows:
29 13. Unless otherwise provided in this division,
30 when using sharing health information through the
31 Iowa health information network or a private health
32 information network maintained in this state that
33 complies with the privacy and security requirements of
34 this chapter for the purposes of patient treatment,
35 a health care professional or a hospital payment or
36 health care operations, as such terms are defined in
37 the Health Insurance Portability and Accountability
38 Act, or for the purposes of public health activities
39 or care coordination, a participant authorized by the
40 department to use the record locator service is exempt
41 from any other state law that is more restrictive than
42 the Health Insurance Portability and Accountability Act
43 that would otherwise prevent or hinder the exchange
44 of patient information by the patient's health care
45 professional or hospital participant.>
46 2. By renumbering, redesignating, and correcting
47 internal references as necessary.

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Daily Bills, Amendments and Study Bills
March 31, 2014

L. MILLER of Scott



Iowa General Assembly
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House File 2454

H-8189

- 1 Amend House File 2454 as follows:
- 2 1. Page 1, line 4, by striking <notwithstanding>
- 3 and inserting <regardless>

DRAKE of Cass



Iowa General Assembly
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House File 2460

H-8190

1 Amend House File 2460 as follows:

2 1. Page 17, after line 6 by inserting:

3 <DIVISION _____

4 WAGE PAYMENT COLLECTION

5 Sec. _____. Section 91A.5, subsection 1, unnumbered
6 paragraph 1, Code 2014, is amended to read as follows:

7 An employer shall have the burden to establish
8 that a deduction from employee wages is lawful. An
9 employer shall not withhold or divert any portion of
10 an employee's wages unless:

11 Sec. _____. Section 91A.5, subsection 1, paragraph b,
12 Code 2014, is amended to read as follows:

13 b. The employer ~~has~~ obtains advance written
14 authorization from the employee to so deduct for any
15 lawful purpose accruing to the benefit of the employee.

16 Sec. _____. Section 91A.6, subsection 1, Code 2014,
17 is amended to read as follows:

18 1. An employer shall ~~after being notified by the~~
19 ~~commissioner pursuant to subsection 2 do the following:~~

20 a. Notify its employees in writing at the time of
21 hiring what wages and regular paydays are designated
22 by the employer.

23 b. Notify its employees in writing whose wages are
24 determined based on a task, piece, mile, or load basis
25 about the method used to calculate wages and when the
26 wages are earned by the employees.

27 ~~b. c.~~ c. Notify, at least one pay period prior to the
28 initiation of any changes, its employees of any changes
29 in the arrangements specified in this subsection ~~1~~ that
30 reduce wages or alter the regular paydays. The notice
31 shall either be in writing or posted at a place where
32 employee notices are routinely posted.

33 ~~c. d.~~ d. Make available to its employees upon written
34 request, a written statement enumerating employment
35 agreements and policies with regard to vacation pay,
36 sick leave, reimbursement for expenses, retirement
37 benefits, severance pay, or other comparable matters
38 with respect to wages. Notice of such availability
39 shall be given to each employee in writing or by a
40 notice posted at a place where employee notices are
41 routinely posted.

42 ~~d. e.~~ e. Establish, maintain, and preserve for three
43 calendar years the payroll records showing the hours
44 worked, wages earned, and deductions made for each
45 employee and any employment agreements entered into
46 between an employer and employee. Failure to do so
47 shall raise a rebuttable presumption that the employer
48 did not pay the required minimum wage under section
49 91D.1.

50 Sec. _____. Section 91A.6, subsection 2, Code 2014,

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1 is amended by striking the subsection.
2 Sec. _____. Section 91A.6, subsection 4, Code 2014,
3 is amended by striking the subsection and inserting in
4 lieu thereof the following:
5 4. a. On each regular payday, the employer shall
6 send to each employee by mail or shall provide at the
7 employee's normal place of employment during normal
8 employment hours a statement showing the wages earned
9 by the employee, the deductions made for the employee,
10 and the following information, as applicable:
11 (1) For each employee paid in whole or in part on
12 an hourly basis, the statement shall show the hours the
13 employee worked.
14 (2) For each employee paid based on a percentage of
15 sales or based on a percentage of revenue generated for
16 the employer, the statement shall include a list of the
17 amount of each sale or the amount of revenue during the
18 pay period.
19 (3) For each employee whose pay is based on the
20 number of miles or loads performed, the statement shall
21 include the applicable number performed during the pay
22 period.
23 b. An employer who provides each employee access to
24 view an electronic statement of the employee's earnings
25 and provides the employee free and unrestricted access
26 to a printer to print the employee's statement of
27 earnings, if the employee chooses, is in compliance
28 with this subsection.
29 Sec. _____. Section 91A.8, Code 2014, is amended to
30 read as follows:
31 **91A.8 Damages recoverable by an employee.**
32 When it has been shown that an employer has
33 ~~intentionally~~ failed to pay an employee wages or
34 reimburse expenses pursuant to section 91A.3, whether
35 as the result of a wage dispute or otherwise, the
36 employer shall be liable to the employee for ~~any the~~
37 ~~unpaid wages or unreimbursed expenses that are so~~
38 ~~intentionally failed to be paid or reimbursed~~, plus
39 liquidated damages, court costs, and any attorney's
40 attorney fees incurred in recovering the unpaid wages
41 ~~or unreimbursed expenses~~ and determined to have been
42 usual and necessary. ~~In other instances the employer~~
43 ~~shall be liable only for unpaid wages or expenses,~~
44 ~~court costs and usual and necessary attorney's fees~~
45 ~~incurred in recovering the unpaid wages or expenses.~~
46 Sec. _____. Section 91A.10, subsection 5, Code 2014,
47 is amended to read as follows:
48 ~~5. An employer shall not discharge or in any other~~
49 ~~manner discriminate against any employee because the~~
50 ~~employee has filed a complaint, assigned a claim, or~~

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1 ~~brought an action under this section or has cooperated~~
2 ~~in bringing any action against an employer.~~
3 5. a. An employer or other person shall not
4 discharge or in any other manner discriminate or
5 retaliate against any of the following:
6 (1) An employee or other person for exercising any
7 right provided under this chapter or any rules adopted
8 pursuant to this chapter.
9 (2) Another employee or person for providing
10 assistance to an employee or providing information
11 regarding the employee or person.
12 (3) Another employee or person for testifying or
13 planning to testify in any investigation or proceeding
14 regarding the employee or person.
15 b. Taking adverse action against an employee or
16 other person within ninety days of an employee's or
17 other person's engaging in any of the activities in
18 paragraph "a" raises a presumption that such action was
19 retaliation, which may be rebutted by evidence that
20 such action was taken for other permissible reasons.
21 c. Any employee may file a complaint with the
22 commissioner alleging discharge, or discrimination,
23 or retaliation within thirty days after such
24 violation occurs. Upon receipt of the complaint, the
25 commissioner shall cause an investigation to be made
26 to the extent deemed appropriate. If the commissioner
27 determines from the investigation that the provisions
28 of this subsection have been violated, the commissioner
29 shall bring an action in the appropriate district court
30 against such person. The district court shall have
31 jurisdiction, for cause shown, to restrain violations
32 of this subsection and order all appropriate relief
33 including rehiring or reinstatement of the employee to
34 the former position with back pay.
35 Sec. _____. Section 91A.10, Code 2014, is amended by
36 adding the following new subsection:
37 **NEW SUBSECTION. 6.** A civil action to enforce
38 subsection 5 may also be maintained in any court of
39 competent jurisdiction by the commissioner or by any
40 party injured by a violation of subsection 5. An
41 employer or other person who retaliates against an
42 employee or other person in violation of subsection 5
43 shall be required to pay the employee or other person
44 an amount set by the commissioner or a court sufficient
45 to compensate the employee or other person and to deter
46 future violations, but not less than one hundred fifty
47 dollars for each day that the violation occurred.
48 Sec. _____. **NEW SECTION. 91A.15 Commissions earned**
49 **date.**
50 An employer shall not require that a person be a

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1 current employee to be paid a commission that the
2 person otherwise earned.
3 Sec. ____ EFFECTIVE DATE. This division of this
4 Act takes effect January 1, 2015.>
5 2. Title page, line 6, by striking <atters> and
6 inserting <atters, and including effective date
7 provisions>
8 3. By renumbering, redesignating, and correcting
9 internal references as necessary.

M. SMITH of Marshall



Iowa General Assembly
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House File 2460

H-8191

- 1 Amend House File 2460 as follows:
2 1. Page 8, line 12, by striking <3,823,539> and
3 inserting <3,890,955>
4 2. Page 8, before line 21 by inserting:
5 <d. Of the moneys appropriated under this
6 subsection, the division shall allocate \$67,416 for
7 the purpose of employing an additional investigator or
8 senior industrial hygienist to investigate occupational
9 safety and health enforcement.>
10 3. By renumbering as necessary.

RUNNING-MARQUARDT of Linn



Iowa General Assembly
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House File 2450

H-8192

- 1 Amend House File 2450 as follows:
- 2 1. Page 8, after line 26 by inserting:
- 3 <Of the amount appropriated in this lettered
- 4 paragraph "a", \$189,200 shall be used to reestablish
- 5 the drug court in Black Hawk county and to fund the
- 6 drug court in Dubuque county.>

ISENHART of Dubuque

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House File 2460

H-8193

- 1 Amend House File 2460 as follows:
- 2 1. Page 8, line 12, by striking <3,823,539> and
- 3 inserting <3,882,703>
- 4 2. Page 8, before line 21 by inserting:
- 5 <d. Of the moneys appropriated under this
- 6 subsection, the division shall allocate \$59,164 for
- 7 the purpose of employing an additional investigator to
- 8 investigate child labor enforcement.>
- 9 3. By renumbering as necessary.

RUNNING-MARQUARDT of Linn



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House File 2460

H-8194

- 1 Amend House File 2460 as follows:
2 1. Page 8, line 12, by striking <3,823,539> and
3 inserting <3,941,867>
4 2. Page 8, line 19, by striking <\$53,280> and
5 inserting <\$53,280 \$171,608>
6 3. Page 8, by striking line 20 and inserting
7 <an two additional investigator investigators while
8 retaining current investigators to investigate wage
9 enforcement.>
10 4. By renumbering as necessary.

RUNNING-MARQUARDT of Linn



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House File 2460

H-8195

- 1 Amend House File 2460 as follows:
2 1. Page 17, after line 6 by inserting:
3 <DIVISION _____
4 IOWA PRODUCTS
5 Sec. _____. IOWA PRODUCTS. As a condition of
6 receiving an appropriation, any agency appropriated
7 moneys pursuant to this Act shall give first preference
8 when purchasing a product to an Iowa product or a
9 product produced from an Iowa-based business. Second
10 preference shall be given to a United States product or
11 a product produced from a business based in the United
12 States.>
13 2. By renumbering, redesignating, and correcting
14 internal references as necessary.

M. SMITH of Marshall



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House File 2458

H-8196

1 Amend House File 2458 as follows:

2 1. Page 25, after line 5 by inserting:

3 <DIVISION _____
4 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014
5 PRESERVE WHITETAIL

6 Sec. _____. Section 484C.2, subsection 2, Code 2014,
7 is amended to read as follows:

8 2. This chapter authorizes the department of
9 natural resources to regulate preserve whitetail and
10 land associated with hunting preserves. However,
11 the department of agriculture and land stewardship
12 shall regulate whitetail kept as farm deer pursuant to
13 chapter 170.

14 Sec. _____. Section 484C.4, Code 2014, is amended to
15 read as follows:

16 **484C.4 Departmental programs and requirements.**

17 The department shall develop, administer, and
18 enforce hunting preserve programs and requirements,
19 which implement the provisions of this chapter and
20 rules adopted by the department pursuant to section
21 484C.3, regarding fencing, recordkeeping, reporting,
22 and the tagging, and transportation; the testing, and
23 monitoring, and quarantining for disease of preserve
24 whitetail; and the quarantining of a hunting preserve
25 or a former hunting preserve where diseased preserve
26 whitetail are or were kept.

27 Sec. _____. Section 484C.12, Code 2014, is amended by
28 adding the following new subsection:

29 **NEW SUBSECTION.** 3. The department may quarantine
30 a hunting preserve or former hunting preserve if
31 it determines that the presence of an infectious,
32 contagious, or reportable disease threatens the health
33 of animal populations. A landowner of the hunting
34 preserve or former hunting preserve shall comply with
35 all requirements of the quarantine. The quarantine
36 shall provide for the maintenance of a fence in the
37 same manner as required in section 484C.6, regardless
38 of any of the following:

39 *a.* The fence has not been certified or is no longer
40 certified under section 484C.6 or the hunting preserve
41 has not been registered or is no longer registered
42 pursuant to section 484C.7.

43 *b.* The landowner has relinquished the hunting
44 preserve as part of a business, including but not
45 limited to by removing any number of whitetail.>

46 2. Title page, line 5, by striking <and including>
47 and inserting <including>

48 3. Title page, line 5, after <provisions> by
49 inserting <, and making penalties applicable>

50 4. By renumbering as necessary.

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HANSON of Jefferson



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House File 2450

H-8197

1 Amend House File 2450 as follows:
2 1. Page 21, after line 16 by inserting:
3 <DIVISION IV
4 PUBLIC SAFETY PEACE OFFICERS' RETIREMENT, ACCIDENT, AND
5 DISABILITY SYSTEM
6 Sec. _____. Section 97A.1, Code 2014, is amended by
7 adding the following new subsections:
8 NEW SUBSECTION. 5A. "*Cancer*" means prostate
9 cancer, primary brain cancer, breast cancer, ovarian
10 cancer, cervical cancer, uterine cancer, malignant
11 melanoma, leukemia, non-Hodgkin's lymphoma, bladder
12 cancer, colorectal cancer, multiple myeloma, testicular
13 cancer, and kidney cancer.
14 NEW SUBSECTION. 9A. "*Infectious disease*" means HIV
15 or AIDS as defined in section 141A.1, all strains of
16 hepatitis, meningococcal meningitis, and mycobacterium
17 tuberculosis.
18 Sec. _____. Section 97A.5, subsection 11, Code 2014,
19 is amended to read as follows:
20 11. *Actuarial investigation*.
21 *a.* At least once in each two-year period, the
22 actuary hired by the board of trustees shall make an
23 actuarial investigation in the mortality, service,
24 and compensation experience of the members and
25 beneficiaries of the system, and the interest and
26 other earnings on the moneys and other assets of the
27 system, and shall make a valuation of the assets and
28 liabilities of the retirement fund of the system, and
29 taking into account the results of the investigation
30 and valuation, the board of trustees shall adopt
31 for the system, upon recommendation of the system's
32 actuary, such actuarial methods and assumptions,
33 interest rate, and mortality and other tables as shall
34 be deemed necessary to conduct the actuarial valuation
35 of the system.
36 *b.* During calendar year 2019, and every five
37 years thereafter, the system shall cause an actuarial
38 investigation to be made related to the implementation,
39 utilization, and actuarial costs associated with
40 providing that cancer and infectious disease are
41 presumed to be a disease contracted while a member
42 of the system is on active duty as provided in
43 section 97A.6, subsection 5. On the basis of the
44 investigation, the board of trustees shall adopt and
45 certify rates of contributions payable by members
46 in accordance with section 97A.8. The system shall
47 submit a written report to the general assembly
48 following each actuarial investigation, including the
49 certified rates of contributions payable by members
50 for costs associated with the benefit as described in

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1 this paragraph, the data collected, and the system's
2 findings.

3 Sec. _____. Section 97A.6, subsection 5, paragraph b,
4 Code 2014, is amended to read as follows:

5 b. (1) Disease under this ~~section~~ subsection shall
6 mean heart disease or any disease of the lungs or
7 respiratory tract and shall be presumed to have been
8 contracted while on active duty as a result of strain,
9 exposure, or the inhalation of noxious fumes, poison,
10 or gases.

11 (2) Disease under this subsection shall also mean
12 cancer or infectious disease and shall be presumed to
13 have been contracted while on active duty as a result
14 of that duty.

15 (3) However, if a person's membership in the system
16 first commenced on or after July 1, 1992, and the heart
17 disease or disease of the lungs or respiratory tract,
18 cancer, or infectious disease would not exist, but for
19 a medical condition that was known to exist on the date
20 that membership commenced, the presumption established
21 in this paragraph "b" shall not apply.

22 Sec. _____. Section 97A.8, subsection 1, paragraph
23 e, subparagraph (8), subparagraph division (a),
24 subparagraph subdivision (v), Code 2014, is amended to
25 read as follows:

26 (v) For the fiscal year period beginning July 1,
27 2014, and ~~each fiscal year thereafter ending June 30,~~
28 ~~2020, eleven and thirty-five hundredths~~ four-tenths
29 percent.

30 Sec. _____. Section 97A.8, subsection 1, paragraph e,
31 subparagraph (8), subparagraph division (a), Code 2014,
32 is amended by adding the following new subparagraph
33 subdivision:

34 NEW SUBPARAGRAPH SUBDIVISION. (vi) For the
35 fiscal year beginning July 1, 2020, and each fiscal
36 year thereafter, eleven and thirty-five hundredths
37 percent, plus an additional percentage, as determined
38 by the board of trustees pursuant to the actuarial
39 investigation required in section 97A.5, subsection
40 11, paragraph "b", necessary to finance the costs
41 associated with providing that cancer and infectious
42 disease are presumed to be a disease contracted while
43 a member of the system is on active duty as provided in
44 section 97A.6, subsection 5.>

45 2. By renumbering as necessary.

WORTHAN of Buena Vista

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House File 2366

S-5107

1 Amend the amendment, S-5072, to House File 2366,
2 as amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by striking line 4 and inserting:

5 <DIVISION I

6 ELECTIONS AND VOTER REGISTRATION

7 Section 1. Section 44.4, subsection 1, Code 2014,>

8 2. Page 5, after line 35 by inserting:

9 <DIVISION

10 MISCELLANEOUS PROVISIONS

11 Sec. _____. Section 48A.9, subsection 1, Code 2014,
12 is amended to read as follows:

13 1. Registration closes at 5:00 p.m. eleven days
14 before each election except ~~primary and~~ general
15 elections. For ~~primary and~~ general elections,
16 registration closes at 5:00 p.m. ten days before the
17 election. An eligible elector may register during the
18 time registration is closed in the elector's precinct
19 but the registration shall not become effective until
20 registration opens again in the elector's precinct,
21 except as otherwise provided in section 48A.7A.

22 Sec. _____. Section 48A.26, subsection 3, Code 2014,
23 is amended to read as follows:

24 3. If the registration form is missing required
25 information pursuant to section 48A.11, subsection 8,
26 the acknowledgment shall advise the applicant what
27 additional information is required. The commissioner
28 shall enclose a new registration form for the applicant
29 to use. If the registration form has no address,
30 the commissioner shall make a reasonable effort to
31 determine where the acknowledgment should be sent. If
32 the incomplete registration form is received during
33 the period in which registration is closed pursuant to
34 section 48A.9 but by 5:00 p.m. on the Saturday before
35 the election for general ~~and primary~~ elections or by
36 5:00 p.m. on the Friday before the election for all
37 other elections, the commissioner shall send a notice
38 advising the applicant of election day and in-person
39 absentee registration procedures under section 48A.7A.

40 Sec. _____. Section 50.20, Code 2014, is amended to
41 read as follows:

42 50.20 Notice of number of provisional ballots.

43 The commissioner shall compile a list of the number
44 of provisional ballots cast under section 49.81 in each
45 precinct. The list shall be made available to the
46 public as soon as possible, but in no case later than
47 9:00 a.m. on the second day following the election.
48 Any elector may examine the list during normal office
49 hours, and may also examine the ~~affidavit~~ affidavits
50 on the envelopes bearing containing the ballots of

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1 challenged electors until the reconvening of the
2 special precinct board as required by this chapter.
3 Only those persons so permitted by section 53.23,
4 subsection 4, shall have access to the affidavits
5 while that board is in session. Any elector may
6 present written statements or documents, supporting or
7 opposing the counting of any provisional ballot, at
8 the commissioner's office until the reconvening of the
9 special precinct board.

10 Sec. _____. Section 53.2, subsection 6, Code 2014, is
11 amended to read as follows:

12 6. If an application for an absentee ballot
13 is received from an eligible elector who is not a
14 registered voter the commissioner shall send the
15 eligible elector a voter registration form and another
16 absentee ballot application form. If the application
17 is received after the time registration closes pursuant
18 to section 48A.9 but by 5:00 p.m. on the Saturday
19 before the election for general and primary elections
20 or by 5:00 p.m. on the Friday before the election for
21 all other elections, the commissioner shall notify the
22 applicant by mail of the election day and in-person
23 absentee registration provisions of section 48A.7A.
24 In addition to notification by mail, the commissioner
25 shall also attempt to contact the applicant by any
26 other method available to the commissioner.

27 Sec. _____. Section 53.8, subsection 1, Code 2014, is
28 amended to read as follows:

29 1. a. Upon receipt of an application for an
30 absentee ballot and immediately after the absentee
31 ballots are printed, the commissioner shall mail an
32 absentee ballot to the applicant within twenty-four
33 hours, except as otherwise provided in subsection 3.
34 The absentee ballot shall be sent to the registered
35 voter by one of the following methods:

36 (1) The absentee ballot shall be enclosed in an
37 unsealed envelope bearing marked with a serial number
38 and affidavit. The absentee ballot and unsealed
39 affidavit envelope shall be enclosed in or with a an
40 unsealed return envelope marked postage paid which
41 bears the same serial number as the unsealed affidavit
42 envelope. The absentee ballot, unsealed affidavit
43 envelope, and return envelope shall be enclosed in a
44 third envelope to be sent to the registered voter. If
45 the ballot cannot be folded so that all of the votes
46 cast on the ballot will be hidden, the commissioner
47 shall also enclose a secrecy envelope with the absentee
48 ballot.

49 (2) The absentee ballot shall be enclosed in an
50 unsealed return envelope marked with a serial number

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1 and affidavit and marked postage paid. The absentee
2 ballot and return envelope shall be enclosed in a
3 second envelope to be sent to the registered voter. If
4 the ballot cannot be folded so that all of the votes
5 cast on the ballot will be hidden, the commissioner
6 shall also enclose a secrecy envelope with the absentee
7 ballot.

8 b. The affidavit shall be marked on the appropriate
9 envelope in a form prescribed by the state commissioner
10 of elections.

11 Sec. ____. Section 53.10, subsection 2, Code 2014,
12 is amended to read as follows:

13 2. Each person who wishes to vote by absentee
14 ballot at the commissioner's office shall first sign
15 an application for a ballot including the following
16 information: name, current address, and the election
17 for which the ballot is requested. The person may
18 report a change of address or other information on
19 the person's voter registration record at that time.
20 The registered voter shall immediately mark the
21 ballot; enclose the ballot in a secrecy envelope, if
22 necessary, and seal it in ~~an affidavit~~ the envelope
23 marked with the affidavit; subscribe to the affidavit
24 on the reverse side of the envelope; and return the
25 absentee ballot to the commissioner. The commissioner
26 shall record the numbers appearing on the application
27 and affidavit envelope along with the name of the
28 registered voter.

29 Sec. ____. Section 53.16, Code 2014, is amended to
30 read as follows:

31 **53.16 Subscribing to affidavit.**

32 After marking the ballot, the voter shall make and
33 subscribe to the affidavit on the ~~reverse side of the~~
34 affidavit envelope or on the return envelope marked
35 with the affidavit, and fold the ballot or ballots,
36 separately, so as to conceal the markings on them, and
37 deposit them in the envelope, and securely seal the
38 envelope.

39 Sec. ____. Section 53.17, subsection 1, unnumbered
40 paragraph 1, Code 2014, is amended to read as follows:

41 ~~The~~ If the commissioner mailed the ballot pursuant
42 to section 53.8, subsection 1, paragraph "a",
43 subparagraph (1), the sealed envelope bearing the
44 voter's affidavit and containing the absentee ballot
45 shall be enclosed in a return envelope which shall be
46 securely sealed. If the commissioner mailed the ballot
47 pursuant to section 53.8, subsection 1, paragraph "a",
48 subparagraph (2), the absentee ballot shall be enclosed
49 in the return envelope which shall be securely sealed.
50 The sealed return envelope shall be returned to the

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1 commissioner by one of the following methods:
2 Sec. _____. Section 53.18, subsections 2 and 3, Code
3 2014, are amended to read as follows:
4 2. If the commissioner receives the return envelope
5 containing the completed absentee ballot by 5:00
6 p.m. on the Saturday before the election for general
7 ~~and primary~~ elections and by 5:00 p.m. on the Friday
8 before the election for all other elections, the
9 commissioner shall review the affidavit marked on the
10 return envelope, if applicable, for completeness or
11 shall open the return envelope to review the affidavit
12 for completeness. If the affidavit is incomplete, the
13 commissioner shall, within twenty-four hours of the
14 time the envelope was received, notify the voter of
15 that fact and that the voter may complete the affidavit
16 in person at the office of the commissioner by 5:00
17 p.m. on the day before the election, vote a replacement
18 ballot in the manner and within the time period
19 provided in subsection 3, or appear at the voter's
20 precinct polling place on election day and cast a
21 ballot in accordance with section 53.19, subsection 3.
22 3. If the affidavit envelope or the return
23 envelope marked with the affidavit contains a defect
24 that would cause the absentee ballot to be rejected
25 by the absentee and special voters precinct board,
26 the commissioner shall immediately notify the voter
27 of that fact and that the voter's absentee ballot
28 shall not be counted unless the voter requests and
29 returns a replacement ballot in the time permitted
30 under section 53.17, subsection 2. The voter may
31 request a replacement ballot in person, in writing, or
32 over the telephone. The same serial number that was
33 assigned to the records of the original absentee ballot
34 application shall be used on the envelope and records
35 of the replacement ballot. The ~~affidavit~~ envelope
36 marked with the affidavit and containing the completed
37 replacement ballot shall be marked "Replacement
38 ballot". The affidavit envelope marked with the
39 affidavit and containing the original ballot shall be
40 marked "Defective" and the replacement ballot shall be
41 attached to the affidavit such envelope containing the
42 original ballot and shall be stored in a secure place
43 until they are delivered to the absentee and special
44 voters precinct board, notwithstanding sections 53.26
45 and 53.27.
46 Sec. _____. Section 53.21, subsection 2, paragraph b,
47 Code 2014, is amended to read as follows:
48 b. The voter shall enclose one copy of the above
49 statement in the return envelope along with the
50 affidavit envelope, if the voter was mailed a separate

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1 affidavit envelope, and shall retain a copy for the
2 voter's records.

3 Sec. _____. Section 53.23, subsection 3, paragraph
4 b, subparagraph (1), Code 2014, is amended to read as
5 follows:

6 (1) The commissioner may direct the board to meet
7 on the day before the election for the purpose of
8 reviewing the absentee voters' affidavits appearing
9 on the sealed affidavit envelopes. If in the
10 commissioner's judgment this procedure is necessary
11 due to the number of absentee ballots received, the
12 members of the board may open the sealed affidavit
13 envelopes and remove the secrecy envelope containing
14 the ballot, but under no circumstances shall a secrecy
15 envelope or a return envelope marked with an affidavit
16 be opened before the board convenes on election day,
17 except as provided in paragraph "c". If the affidavit
18 envelopes are opened before election day pursuant
19 to this paragraph "b", two observers, one appointed
20 by each of the two political parties referred to
21 in section 49.13, subsection 2, shall witness the
22 proceedings. The observers shall be appointed by the
23 county chairperson or, if the county chairperson fails
24 to make an appointment, by the state chairperson.
25 However, if either or both political parties fail to
26 appoint an observer, the commissioner may continue with
27 the proceedings.

28 Sec. _____. Section 53.23, subsection 5, Code 2014,
29 is amended to read as follows:

30 5. The special precinct election board shall
31 preserve the secrecy of all absentee and provisional
32 ballots. After the affidavits on the envelopes have
33 been reviewed and the qualifications of the persons
34 casting the ballots have been determined, those that
35 have been accepted for counting shall be opened. The
36 ballots shall be removed from the affidavit envelopes
37 or return envelopes marked with the affidavit, as
38 applicable, without being unfolded or examined, and
39 then shall be thoroughly intermingled, after which they
40 shall be unfolded and tabulated. If secrecy folders or
41 envelopes are used with provisional paper ballots, the
42 ballots shall be removed from the secrecy folders after
43 the ballots have been intermingled.

44 Sec. _____. Section 53.25, Code 2014, is amended to
45 read as follows:

46 **53.25 Rejecting ballot.**

47 1. If the absentee voter's affidavit lacks the
48 voter's signature, if the applicant is not a duly
49 registered voter on election day in the precinct
50 where the absentee ballot was cast, if the affidavit

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1 envelope marked with the affidavit contains more than
2 one ballot of any one kind, or if the voter has voted
3 in person, such vote shall be rejected by the absentee
4 and special voters precinct board. If the affidavit
5 envelope or return envelope marked with the affidavit
6 is open, or has been opened and resealed, or if the
7 ballot is not enclosed in the affidavit such envelope,
8 and an affidavit envelope or return envelope marked
9 with the affidavit with the same serial number and
10 marked "Replacement ballot" is not attached as provided
11 in section 53.18, the vote shall be rejected by the
12 absentee and special voters precinct board.

13 2. If the absentee ballot is rejected prior to the
14 opening of the affidavit envelope or return envelope
15 marked with the affidavit, the voter casting the ballot
16 shall be notified by a precinct election official
17 by the time the canvass is completed of the reason
18 for the rejection on a form prescribed by the state
19 commissioner of elections.

20 Sec. _____. Section 53.27, Code 2014, is amended to
21 read as follows:

22 **53.27 Rejection of ballot — return of envelope.**

23 If the ballot is rejected, the affidavit envelope,
24 marked with the affidavit of, with the voter endorsed
25 voter's endorsement thereon, shall be returned with the
26 rejected ballot in the envelope endorsed "Defective
27 ballots".

28 Sec. _____. Section 53.30, Code 2014, is amended to
29 read as follows:

30 **53.30 Ballots, ballot envelopes, and other**
31 **information preserved.**

32 At the conclusion of each meeting of the absentee
33 and special voter's precinct board, the board shall
34 securely seal all ballots counted by them in the manner
35 prescribed in section 50.12. The ballot envelopes,
36 including the affidavit envelope having the registered
37 voter's affidavit on it if an affidavit envelope was
38 provided, the return envelope, and secrecy envelope
39 bearing the signatures of precinct election officials,
40 as required by section 53.23, shall be preserved. All
41 applications for absentee ballots, ballots rejected
42 without being opened, absentee ballot logs, and any
43 other documents pertaining to the absentee ballot
44 process shall be preserved until such time as the
45 documents may be destroyed pursuant to section 50.19.

46 Sec. _____. Section 53.32, Code 2014, is amended to
47 read as follows:

48 **53.32 Ballot of deceased voter.**

49 When it shall be made to appear by due proof to
50 the precinct election officials that any elector, who

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1 has so marked and forwarded a ballot, has died before
2 the affidavit envelope marked with the affidavit is
3 opened, then the ballot of such deceased voter shall
4 be endorsed, "Rejected because voter is dead", and be
5 returned to the commissioner, ~~but the~~. The casting of
6 the ballot of a deceased voter shall not invalidate the
7 election.

8 Sec. _____. Section 53.38, Code 2014, is amended to
9 read as follows:

10 **53.38 What constitutes registration.**

11 Whenever a ballot is requested pursuant to section
12 53.39 or 53.45 on behalf of a voter in the armed
13 forces of the United States, the affidavit upon the
14 affidavit envelope marked with the affidavit of such
15 voter, if the voter is found to be an eligible elector
16 of the county to which the ballot is submitted, shall
17 constitute a sufficient registration under chapter
18 48A. A completed federal postcard registration and
19 federal absentee ballot request form submitted by such
20 eligible elector shall also constitute a sufficient
21 registration under chapter 48A. The commissioner shall
22 place the voter's name on the registration record as a
23 registered voter if it does not already appear there.
24 The identification requirements of section 48A.8 and
25 the verification requirements of section 48A.25A do
26 not apply to persons who register to vote under this
27 division.

28 Sec. _____. Section 53.40, subsection 3, Code 2014,
29 is amended to read as follows:

30 3. If the affidavit on the affidavit envelope
31 marked with the affidavit shows that the affiant is not
32 a qualified voter on the day of the election at which
33 the ballot is offered for voting, the envelope shall
34 not be opened, but the envelope and ballot contained
35 in the envelope shall be preserved and returned by the
36 precinct election officials to the commissioner, who
37 shall preserve them for the period of time and under
38 the conditions provided for in sections 50.12, 50.13,
39 50.15, and 50.19.

40 Sec. _____. Section 53.44, Code 2014, is amended to
41 read as follows:

42 **53.44 Affidavit to be signed and returned.**

43 1. The affidavit on the affidavit envelope marked
44 with the affidavit used in connection with voting by
45 absentee ballot under this division by members of the
46 armed forces of the United States need not be notarized
47 or witnessed, but the affidavit on such envelope shall
48 be completed and signed by the voter.

49 2. Absentee ballots issued under this division
50 shall be returned in the same manner and within the

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1 same time limits specified in section 53.17.
2 Sec. _____. REPEAL. Sections 53.13 and 53.14, Code
3 2014, are repealed.
4 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
5 of this Act, being deemed of immediate importance,
6 takes effect upon enactment.>
7 3. Title page, by striking lines 1 through 4 and
8 inserting <An Act related to the policy administration
9 of elections and voter registration and including
10 effective date provisions.>
11 4. By renumbering, redesignating, and correcting
12 internal references as necessary.

JEFF DANIELSON



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Senate File 2344

S-5108

1 Amend Senate File 2344 as follows:

2 1. Page 4, after line 26 by inserting:

3 <Sec. _____. Section 422.11Y, subsection 9, Code
4 2014, is amended to read as follows:

5 9. This section is repealed on January 1, ~~2018~~
6 2020.

7 Sec. _____. Section 422.33, subsection 11D, paragraph
8 c, Code 2014, is amended to read as follows:

9 c. This subsection is repealed on January 1, ~~2018~~
10 2020.

11 Sec. _____. 2011 Iowa Acts, chapter 113, section 37,
12 is amended to read as follows:

13 SEC. 37. TAX CREDIT AVAILABILITY. For a retail
14 dealer who may claim an E-15 plus gasoline promotion
15 tax credit under section 422.11Y or 422.33, subsection
16 11D, as enacted in this Act and amended in subsequent
17 Acts, in calendar year ~~2017~~ 2019, and whose tax year
18 ends prior to December 31, ~~2017~~ 2019, the retail
19 dealer may continue to claim the tax credit in the
20 retail dealer's following tax year. In that case, the
21 tax credit shall be calculated in the same manner as
22 provided in section 422.11Y or 422.33, subsection 11D,
23 as enacted in this Act and amended in subsequent Acts,
24 for the remaining period beginning on the first day of
25 the retail dealer's new tax year until December 31,
26 ~~2017~~ 2019. For that remaining period, the tax credit
27 shall be calculated in the same manner as a retail
28 dealer whose tax year began on the previous January 1
29 and who is calculating the tax credit on December 31,
30 ~~2017~~ 2019.>

31 2. Page 4, after line 33 by inserting:

32 <DIVISION _____

33 E-85 GASOLINE PROMOTION TAX CREDIT

34 Sec. _____. Section 422.11O, subsection 8, Code 2014,
35 is amended to read as follows:

36 8. This section is repealed on January 1, ~~2018~~
37 2020.

38 Sec. _____. Section 422.33, subsection 11B, paragraph
39 c, Code 2014, is amended to read as follows:

40 c. This subsection is repealed on January 1, ~~2018~~
41 2020.

42 Sec. _____. 2006 Iowa Acts, chapter 1142, section 49,
43 subsection 3, as amended in 2011 Iowa Acts, chapter
44 113, section 20, is amended to read as follows:

45 3. For a retail dealer who may claim an E-85
46 gasoline promotion tax credit under section 422.11O
47 or 422.33, subsection 11B, as enacted in this Act and
48 amended in subsequent Acts, in calendar year ~~2017~~ 2019
49 and whose tax year ends prior to December 31, ~~2017~~
50 2019, the retail dealer may continue to claim the tax

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1 credit in the retail dealer's following tax year. In
2 that case, the tax credit shall be calculated in the
3 same manner as provided in section 422.11O or 422.33,
4 subsection 11B, as enacted in this Act and amended in
5 subsequent Acts, for the remaining period beginning on
6 the first day of the retail dealer's new tax year until
7 December 31, ~~2017~~ 2019. For that remaining period, the
8 tax credit shall be calculated in the same manner as
9 a retail dealer whose tax year began on the previous
10 January 1 and who is calculating the tax credit on
11 December 31, ~~2017~~ 2019.

12 DIVISION

13 BIODIESEL BLENDED FUEL TAX CREDIT

14 Sec. _____. Section 422.11P, subsection 8, Code 2014,
15 is amended to read as follows:

16 8. This section is repealed January 1, ~~2018~~ 2020.

17 Sec. _____. Section 422.33, subsection 11C, paragraph
18 c, Code 2014, is amended to read as follows:

19 c. This subsection is repealed on January 1, ~~2018~~
20 2020.

21 Sec. _____. 2011 Iowa Acts, chapter 113, section 31,
22 is amended to read as follows:

23 SEC. 31. TAX CREDIT AVAILABILITY. For a retail
24 dealer who may claim a biodiesel blended fuel promotion
25 tax credit under section 422.11P or 422.33, subsection
26 11C, as amended in this Act and amended in subsequent
27 Acts, in calendar year ~~2017~~ 2019, and whose tax year
28 ends prior to December 31, ~~2017~~ 2019, the retail
29 dealer may continue to claim the tax credit in the
30 retail dealer's following tax year. In that case, the
31 tax credit shall be calculated in the same manner as
32 provided in section 422.11P or 422.33, subsection 11C,
33 as amended in this Act and amended in subsequent Acts,
34 for the remaining period beginning on the first day of
35 the retail dealer's new tax year until December 31,
36 ~~2017~~ 2019. For that remaining period, the tax credit
37 shall be calculated in the same manner as a retail
38 dealer whose tax year began on the previous January 1
39 and who is calculating the tax credit on December 31,
40 ~~2017~~ 2019.>

41 3. Title page, line 4, after <provisions for> by
42 inserting <renewable fuel tax credits and>

43 4. By renumbering as necessary.

JAKE CHAPMAN

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House File 2444

S-5109

- 1 Amend House File 2444, as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 6, by striking <receive and>

COMMITTEE ON WAYS AND MEANS
JOE BOLKCOM, CHAIRPERSON



Iowa General Assembly
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House File 2192

S-5110

- 1 Amend House File 2192, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 3, line 20, after <demand> by inserting <,
4 as provided under section 455B.174>

DENNIS H. BLACK



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Senate File 2346 - Introduced

SENATE FILE 2346
BY BOLKCOM

A BILL FOR

1 An Act relating to the use of triclosan in certain products and
2 providing civil penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5691XS (2) 85
tm/nh



Iowa General Assembly
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S.F. 2346

1 Section 1. NEW SECTION. 135.191 Triclosan prohibition.

2 1. Beginning January 1, 2015, a person shall not
3 manufacture, sell, or distribute in commerce in this state any
4 soap, hand sanitizer, or toothpaste containing triclosan.

5 2. A manufacturer shall use the least toxic alternative when
6 replacing triclosan in the manufacturing of any of the products
7 listed in subsection 1.

8 3. A person who violates this section is subject to a civil
9 penalty of one thousand dollars for each violation.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill, beginning January 1, 2015, prohibits the
14 manufacture, sale, or distribution of a soap, hand sanitizer,
15 or toothpaste containing triclosan. The bill requires a
16 manufacturer to use the least toxic alternative when replacing
17 triclosan in the manufacturing of such products. The bill
18 provides that a person who violates the bill is subject to a
19 civil penalty of \$1,000 for each violation.



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Senate Study Bill 3214 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

A BILL FOR

1 An Act relating to payment of wages by debit card or pay card.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6191XC (3) 85
je/rj



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S.F. _____

1 Section 1. Section 91A.3, subsection 3, Code 2014, is
2 amended to read as follows:
3 3. a. The wages paid under subsection 1 shall be paid using
4 a method authorized by this section.
5 b. Wages due may be paid at the employee's normal place of
6 employment during normal employment hours or at a place and
7 hour mutually agreed upon by the employer and employee, ~~or the~~
8 ~~employee may elect to have the wages sent for direct deposit,~~
9 ~~on or by the regular payday of the employee, into a financial~~
10 ~~institution designated by the employee.~~
11 c. Upon written request by the employee, wages due may be
12 sent to the employee by mail. The employer shall maintain a
13 copy of the request for as long as it is effective and for at
14 least two years thereafter.
15 d. The employee may elect to have wages due sent for
16 direct deposit, on or by the regular payday of the employee,
17 into a financial institution designated by the employee. An
18 employee hired on or after July 1, 2005, may be required, as
19 a condition of employment, to participate in direct deposit
20 of the employee's wages in a financial institution of the
21 employee's choice unless any of the following conditions exist:
22 (1) The costs to the employee of establishing and
23 maintaining an account for purposes of the direct deposit would
24 effectively reduce the employee's wages to a level below the
25 minimum wage provided under section 91D.1.
26 (2) The employee would incur fees charged to the employee's
27 account as a result of the direct deposit.
28 (3) The provisions of a collective bargaining agreement
29 mutually agreed upon by the employer and the employee
30 organization prohibit the employer from requiring an employee
31 to sign up for direct deposit as a condition of hire.
32 e. (1) The employee may elect to have wages due paid by
33 debit card or pay card if all of the following conditions are
34 met:
35 (a) The employee is provided written notice of all possible

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1 charges for use of the debit card or pay card when payment
2 by debit card or pay card is offered to the employee, and
3 in advance of any change in the amount or frequency of such
4 charges.

5 (b) The employee agrees in writing to payment by debit card
6 or pay card without coercion or fear of discharge or reprisal.

7 (c) The employee has the option of withdrawing all wages due
8 without incurring any charge for use of the debit card or pay
9 card.

10 (2) The employer shall retain copies of the employee's
11 written consent and the notice of charges for the period for
12 which the consent is effective and for at least two years
13 thereafter.

14 (3) The employer shall substitute another payment method
15 in accordance with this section no later than two pay periods
16 after receiving a request for termination of payment by debit
17 card or pay card from an employee.

18 ~~b.~~ f. If the employer fails to pay an employee's wages on
19 or by the regular payday in accordance with this subsection,
20 the employer is liable for the amount of any overdraft charge
21 if the overdraft is created on the employee's account because
22 of the employer's failure to pay the wages on or by the regular
23 payday. The overdraft charges may be the basis for a claim
24 under section 91A.10 and for damages under section 91A.8.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill permits employees to elect to have wages due paid
29 by debit card or pay card under Code chapter 91A, the Iowa
30 wage payment collection law, if certain conditions are met.
31 The employee must be provided written notice of all possible
32 charges for use of the debit card or pay card when payment
33 by debit card or pay card is offered to the employee, and
34 in advance of any change in the amount or frequency of such
35 charges. The employee must agree in writing to payment by

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1 debit card or pay card without coercion or fear of discharge
2 or reprisal. The employee must have the option of withdrawing
3 all wages due without incurring any charge for use of the debit
4 card or pay card.
5 The bill requires an employer to retain copies of the
6 employee's written consent and the notice of charges for the
7 period for which the consent is effective and for at least two
8 years thereafter. The bill requires an employer to substitute
9 another payment method no later than two pay periods after
10 receiving a request for termination of payment by debit card
11 or pay card from an employee.